

EXHIBIT E

**Redacted Version of
Document Sought to be Sealed**

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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CHASOM BROWN; MARIA NGUYEN;
WILLIAM BYATT; JEREMY DAVIS;
and CHRISTOPHER CASTILLO,
individually and on behalf
of all other similarly
situated,

Plaintiffs,

vs.

No. 5:20-cv-03664-LHK

GOOGLE LLC,

Defendant.

_____/

CONFIDENTIAL

REMOTE VIDEOTAPED DEPOSITION OF CHRISTOPHER R. PALMER
WITNESS LOCATION: SAN FRANCISCO, CALIFORNIA
WEDNESDAY, JANUARY 5, 2022

Stenographically Reported by:
ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR
California CSR No. 9830
Job No. 773740

MAGNA LEGAL SERVICES
866-624-6221

1 Do you see that? 12:26

2 A Let me find it. On page 2? 12:26

3 Q Page 2 under "Objective." It's the very last 12:26

4 sentence in the "Objective" section. 12:26

5 A Oh, I see. Yeah, I see that. 12:26

6 Q And it says: 12:26

7 "In early Q1, the work contributed towards 12:26

8 the Privacy/Policy presentation to Sundar." 12:26

9 Do you see that? 12:27

10 A I do. 12:27

11 Q Do you have any knowledge or recollection of 12:27

12 any Privacy/Policy presentation to Sundar as 12:27

13 referenced here? 12:27

14 A I don't. 12:27

15 MR. RICHARDSON: Okay. Let's go to the next 12:27

16 exhibit, which is Exhibit 11, which is 12:27

17 GOOG-BRWN-00051404. 12:27

18 Q Do you have that exhibit in front of you? 12:27

19 A Excuse me. 12:27

20 Yes, I do. 12:27

21 Q And would you take a moment to review that 12:27

22 document. 12:27

23 A Yeah. 12:27

24 (Witness reading document.) 12:27

25 Okay. 12:29

1 Ms. Tabriz, copying three other Google employees; is 13:58
2 that right? 13:58
3 A Yeah. 13:58
4 Q And the first bullet states: 13:58
5 "Sabine told me about this just yesterday." 13:58
6 Do you see that? 13:58
7 A Yeah. 13:58
8 Q Do you have any understanding as to who 13:58
9 Sabine is? 13:58
10 A Parisa probably means Sabine Borsay. 14:00
11 Q And then Parisa continued here and said: 13:58
12 "Chrome Privacy team did raise concerns about 13:59
13 an [REDACTED] raising expectations of what Chrome 13:59
14 incognito can provide, and the [REDACTED] team in turn 13:59
15 raised it with Sundar." 13:59
16 Do you see that? 13:59
17 A I do. 13:59
18 Q Do you have any understanding of who the 13:59
19 "Sundar" is in that sentence? 13:59
20 A I would assume that it's Sundar Pichai. 13:59
21 Q And that's the CEO of Google; correct? 13:59
22 A Yeah. 13:59
23 Q What understanding, if any, do you have 13:59
24 regarding any concerns about Incognito that were 13:59
25 raised with Mr. Sundar Pichai? 13:59

1 MS. CRAWFORD: Objection. 13:59

2 THE WITNESS: I don't know. I wasn't in 13:59

3 those meetings. I -- I don't know what concerns were 14:00

4 raised. 14:00

5 MR. RICHARDSON: Q. Did anyone report back 14:00

6 to you on what concerns were raised? 14:00

7 A Not that I recall. 14:00

8 Q Have you had any discussions with Mr. Pichai 14:00

9 concerning Incognito Mode? 14:00

10 A No. I've never spoken to him at all. 14:00

11 Q Have -- has anyone at Google ever talked to 14:00

12 you about discussions with Mr. Pichai regarding 14:00

13 Incognito Mode? 14:00

14 A There is this e-mail just, like, saying that 14:00

15 some discussion did or would happen, but nothing 14:00

16 beyond that that I can recall. 14:00

17 Q And from this e-mail, is it your 14:00

18 understanding that certain Google employees raised 14:00

19 concerns with Mr. Pichai regarding Incognito Mode? 14:00

20 MS. CRAWFORD: Objection insofar as you're 14:00

21 asking the witness to speculate. 14:00

22 THE WITNESS: Yeah, again, I wasn't in that 14:00

23 meeting. But I think this e-mail might be about more 14:00

24 than just Incognito in Chrome. 14:01

25 MR. RICHARDSON: Q. Are you familiar with 14:01

1 THE WITNESS: I've never heard of that. 16:07

2 MR. RICHARDSON: Q. No one ever told you 16:07

3 that? 16:07

4 A No. 16:07

5 (Document previously marked Mardini 16:07

6 Exhibit 35 for identification.) 16:07

7 MR. RICHARDSON: Would you please look at 16:07

8 what's been marked as Mardini Exhibit 35. 16:07

9 Q Do you have that? 16:07

10 A Okay. 16:07

11 Q And do you see in there, there is an e-mail 16:07

12 from Ben Galbraith? 16:07

13 A I see. 16:07

14 Q He says: 16:07

15 "Hi Mardini, Alex, 16:07

16 "We're aligning on some revisions to the 16:07

17 [REDACTED] plans that incorporate some elements for 16:07

18 which visual concepts which be quite helpful for some 16:07

19 upcoming exec reviews." 16:07

20 And then it says Hiroshi on March 7th, and 16:07

21 Sundar on March 21st. 16:07

22 Do you see that? 16:07

23 A I do. 16:08

24 Q And then it says: 16:08

25 "The concepts are:" 16:08

1 And the first one is: 16:08

2 [REDACTED], in line with the 16:08

3 thinking from Chris Palmer and others." 16:08

4 Do you see that? 16:08

5 A I do. 16:08

6 Q Did anyone inform you that there were 16:08

7 discussions regarding [REDACTED] in 16:08

8 line with the thinking from you and others in March of 16:08

9 2019? 16:08

10 MS. CRAWFORD: Objection; foundation. 16:08

11 THE WITNESS: I don't recall knowing about 16:08

12 this. 16:08

13 MR. RICHARDSON: Q. And it goes down -- two 16:08

14 paragraphs more, it says: 16:08

15 "To me, most of the problems Chris outlined 16:08

16 about Incognito in this deck aren't related to 16:08

17 [REDACTED]." 16:08

18 And I'll represent that Google has stated 16:08

19 that the hyperlink "this deck" is a copy of your The 16:08

20 Incognito Problem presentation. 16:08

21 Did you ever have any discussions with anyone 16:08

22 regarding a meeting with Hiroshi Lockheimer regarding 16:09

23 [REDACTED]? 16:09

24 A No. 16:09

25 Q Did you ever have any discussions with anyone 16:09

1 regarding meeting with Sundar Pichai regarding 16:09
2 [REDACTED]? 16:09
3 A No. 16:09
4 Q Do you recall anyone ever providing you with 16:09
5 a copy of the March 2019 presentation to Mr. Pichai 16:09
6 proposing an [REDACTED] 16:09
7 A I don't. 16:09
8 Q Are you familiar with something called 16:09
9 [REDACTED] 16:09
10 A I'm trying to think if I remember hearing 16:09
11 that. I can't recall. I -- I don't think I -- I do 16:09
12 recall that exactly. 16:09
13 Q Are you familiar with something called 16:09
14 [REDACTED] 16:10
15 A I -- I don't think so. I can't recall 16:10
16 anything specific about that. 16:10
17 Q Are you familiar with a proposal internally 16:10
18 at Google to [REDACTED] 16:10
19 [REDACTED] 16:10
20 [REDACTED] 16:10
21 [REDACTED] 16:10
22 MS. CRAWFORD: Objection to the form of the 16:10
23 question. 16:10
24 THE WITNESS: Not -- again, I'm not -- 16:10
25 Incognito is not my main job, and I don't work on 16:10